



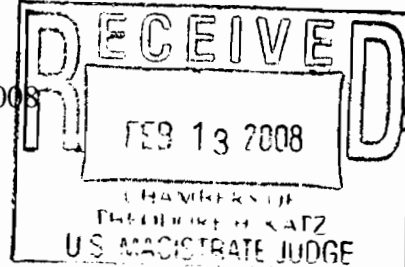
OFFICE OF THE DISTRICT ATTORNEY, Bronx County

ROBERT T. JOHNSON
District Attorney

198 East 161st Street
Bronx, New York 10451

(718) 590-2156
Fax 590-6523

February 7, 2008



The Honorable Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1660
New York, NY 10007

RE: Wilfredo Rodriguez v. Frank McCray
07-Civ-10655 (SHS)(THK)

Your Honor:

I am currently assigned to handle the District Attorney's response to petitioner's *habeas corpus* petition in the above matter. Our response is due on February 15, 2008. I am writing to request an extension to file our Answer on or before March 21, 2008. Respondent has not requested any adjournments prior to this one, and petitioner's attorney has consented to this requested date.

I am currently assigned three direct appeals of criminal convictions, one of which is that of an incarcerated defendant. I am also responding to two post-conviction motions in state Supreme Court and the Appellate Division. Additionally, I am assigned another *habeas corpus* petition in the Southern District. Accordingly, I respectfully request that this Court adjourn the date for our response to March 21, 2008. Per my conversation with petitioner's attorney, we have agreed that, with this Court's permission, petitioner be permitted to reply on or before April 18, 2008. If your Honor will need to contact me, I can be reached at (718) 590-7997. Thank you.

Respectfully submitted,

ANDREW S. HOLLAND (AH 7549)
Assistant District Attorney

cc: Jody G. Ratner, Esq.
Attorney for Petitioner
Center for Appellate Litigation
74 Trinity Place, 11th Floor
New York, NY 10006

The response to the Petition shall be filed by March 21, 2008. The Reply shall be filed by April 18, 2008.

SO ORDERED

2/13/08
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

COPIES MAILED
TO COUNSEL OF RECORD ON 2/13/08